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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin

Serial No.:

09/478,668

Group Art Unit:

1632

Filed:

October 6, 1999

Examiner:

Not yet assigned

For:

METHODS AND REAGENTS FOR DECREASING CLINICAL REACTION

TO ALLERGY

Box Missing Parts Assistant Commissioner for Patents Washington, D.C. 2023l

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Responsive to the Notice to File Missing Parts of Application, mailed February 16, 2000, applicants enclose copies of the following, which were filed on January 6, 2000, with the above-identified application:

- Executed Declaration of Inventorship from parent application U.S.S.N. 09/141,220
 by Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin;
- 2. Returned postcard indicating receipt by the Patent Office of the application on January 6, 2000, including the executed Declaration of Inventorship.

Applicants also enclose Form PTO-1533, mailed February 16, 2000.

Request for Corrected Filing Receipt

Applicants respectfully request a corrected Filing Receipt to correct the following Patent Office errors:

- 1. Three of the four named inventors have been omitted. Please add A. Wesley Burks, Jr., Little Rock, Arkansas; Hugh A. Sampson, Larchmont, New York, and Howard B. Sosin, Fairfield, Connecticut.
- 2. Please include the residence information for inventor Gary A. Bannon, Little Rock, Arkansas.
- 3. Most of the continuing data has been omitted. Please include the following continuing data:

```
60/074,590 filed February 13, 1998;
60/074,624 filed February 13, 1998;
60/074,633 filed February 13, 1998;
60/073,283 filed January 31, 1998, via 09/240,557 filed January 29, 1999,
or 09/241,101 filed January 29, 1999,
or 09/248,673 filed February 11, 1999;
PCT/US96/15222 filed September 23, 1996;
08/717,933 filed September 23, 1996.
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No fees are due at this time, as applicants timely filed the executed Declaration of Inventorship and three Statements Claiming Small Entity Status. However, the Commissioner is authorized to charge any other fees due, or credit any overpayment, in connection with this

matter to Deposit Account No. 01-2507. A duplicate of this transmittal is enclosed to facilitate this process.

Respectfully submitted,

Patrea L. Pabst Reg. No. 31,284

Date: March 14, 2000

ARNALL GOLDEN & GREGORY, LLP 2800 One Atlantic Center 1201 West Peachtree Street Atlanta, Georgia 30309-3450 404-873-8794 404-873-8795 (fax)



Linda D. Lindsay

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this Response to Notice to File Missing Parts of Application and Request for Corrected Filing Receipt, together with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: March 14, 2000



CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this Response to Notice to File Missing Parts of Application and Request for Corrected Filing Receipt, together with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C., 20231.

Linda B. Lindsay

Date: March 14, 2000

MAR 2 0 2000 SAN TRADEMENT

The "Received" stamp of the Patent Office imprinted hereon acknowledges the filing of:

Applicants: Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin

Serial & Docket Nos.: , Divisional of U.S.S.N. 09/141,220 HŚ 102 DIV Filed: January 6, 2000

Papers Submitted: E

Express Mail Label No.: EL320554231US

Request for Filing a Divisional Application Under 37 C.F.R. § 1.53(b) and Certificate of Mailing Under 37 C.F.R. § 1.10 (in duplicate); Preliminary Amendment; Information Disclosure Statement; copies from prior application, U.S.S.N. 09/141,220, off. (1) application, including 1 page of Abstract, 29 pages of Specification, and 5 pages of claims; (2) 19 pages of sequence listing; (3) executed Substitute Declaration filed September 2, 1999; (4) executed Statements Claiming Small Entity Status by each of University of Arkansas, Mt. Sinai School of Medicine of the City University of New York, and Panacea Pharmaceuticals, LLC; (5) executed Statements Under 37 C.F.R. § 3.73(b) by each of University of Arkansas, Mt. Sinai School of Medicine of the City University of New York, and Panacea Pharmaceuticals, LLC; (6) executed Assignment from Hugh A. Sampson to Mt. Sinai School of Medicine of the City University of New York; (8) executed Assignment from Howard Sosin to Panacea Pharmaceuticals, Inc.; and (9) 3 sheets of formal drawings; Fee Transmittal Form (PTO/SB/05); check for \$407.00 for filing fee; authorization to credit Deposit Account for \$35.00; and authorization to charge Deposit Account

January 6, 2000 Patrea L. Pabst, Reg. No. 31,284

Date:

CS11 U.S. PTO 09/4786690Matter No.

01/06/00

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UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

APPLICATION NUMBER FILING/RECEIRT DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO./TITLE

09/478,668

10/06/99

DANKICK

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HS-102-DIV

PATREA L PABST ESQ ARNALL GOLDEN & GREGORY LLP 2800 ONE ATLANTIC CENTER 1201 WEST PEACHTREE STREET ATLANTA GA 30309-3450 MAR 2 0 2000 CATE MAILED: 1632

02/16/00

NOTICE TO FILE MISSING PARTS OF MPPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1:136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1:16(a) of 1 \$85.00 for a small entity in compliance with 37 CFR 1:27, or \$\Bigcirc\$ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

to this NOTICE to avoid abandonment.		100
If all required items on this form are filed within the period set also □ small entity (statement filed) □ non-small entity is \$	ye, the total amount owed by applicant a	s a
□ 1. The statutory basic filing fee is: □ missing: □ insufficient. Applicant must submit \$	basic filing fee and/or file a small entity state U3-II U4-II	ement Oo Krady Oo Rsp wlo ec
for total claims over 20.	37 16	00 Bp Wied
for independent claims over		00 RSP W/Zec
for multiple dependent claim surcharge. Applicant must either submit the additional claim fees or cancel	additional claims for which fees are due.	00 Rsp 4/3 co
3. The oath or declaration: is missing or unsigned.	6.8-16	00 Rsp W/4 e0
does not cover the newly submitted items.		Drop Dead De
An oath or declaration in compliance with 37 CFR 1. 63, including the above Application Number and Filing Date is required. 4. The signature(s) to the oath or declaration is/are by a person other 1.43 or 1.47.		***
A properly signed oath or declaration in compliance with 37 CFR Application Number and Filing Date, is required.	1.63, identifying the application by the abov	10
5. The signature of the following joint inventor(s) is missing from the	oath or declaration:	
An eath or declaration in compliance with 37 CFR 1.63 listing the inventor(s), identifying this application by the above Application of the special processing fee is required since your check was retended by the special processing fee is required since your check was retended by the special process of the special proces	Number and Filing Date, is required: urned without payment (37 CFR 1.21(m)). turned without payment. 1. the \$130.00 set forth in 37 CFR 1.17(k). u	899
Direct the reply and any questions about this notice to "Attention: Box M	lissing Parts."	0 5
A copy of this notice <u>MUST</u> be re	eturned with the reply.	65,00 CH
Custome Service Center Initial Patent Examination Division (703) 308-1202		2000 AS 205
FORM PTO-1533 (REV. 9/98)	,	J.S. GR 1999 450-5875
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FILING RECEIPT



UNITED STATES ARTMENT OF COMMERCE Patent and Trademark Office ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

APPLICATION NUMBER FILIN	G DATE GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO	DRWGS	TOT CI	IND CL
09/478,668 10/0	16/99 1632	. '	HS-102-DIV	3	23	2

PATREA L PABST ESO ARNALL GOLDEN & GREGORY LLP 2800 ONE ATLANTIC CENTER 1201 WEST PEACHTREE STREET ATLANTA GA 30309-3450



Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

GARY A. BANNON, Little Rock, Arkansas; A. Wesley Burks, Jr., Applicant(s) Little Rock, Arkansas; Hugh A. Sampson, Larchmont, New York; Howard B. Sosin, CONTINUING DATA AS CLAIMED BY APPLICANT-Fairfield, Connecticut THIS APPLN IS A DIV OF 09/141,220 08/27/98

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 02/16/00 ** SMALL ENTITY ** TITLE METHODS AND REAGENTS FOR DECREASING CLINICAL REACTION TO ALLERGY

PRELIMINARY CLASS: 800

Additional Continuing Data:

60/074,590 filed February 13, 1998;

60/074,624 filed February 13, 1998;

60/074,633 filed February 13, 1998; 60/073,283 filed January 31, 1998, via 09/240,557 filed January 29, 1999,

or 09/241,101 filed January 29, 1999,

or 09/248,673 filed February 11,1999;

PCT/US96/15222 filed September 23, 1996; 08/717,933 filed September 23, 1996

RECEIVED

FEB 2 5 2000

PATENT DEPT.

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DATA ENTRY BY: ZIMMERMAN, SHUANA

TEAM: 01 DATE: 02/16/00

A TREATH BEING BEING

(See reverse for new important information)

ENSE FOR FOREIGN FILING U TITLE 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15 GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "FOREIGN FILING LICENSE GRANTED" followed by a date appears on the reverse side of this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.11. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

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PLEASE NOTE ---- The Following Information about the Filing Receipt:

The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.

The words "new," "improved," "improvement," "improvements in or relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement.

The title may be truncated if it consists of more than 4 lines of 70 characters each (letters and spaces combined).

The inventor information may be truncated if the family name consists of more than 25 characters (letters and spaces combined) and if the given name consists of more than 25 characters (letters and spaces combined). The inventor's residence allows for up to 40 characters (letters and spaces combined).

The docket number allows a maximum of 12 characters.

If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

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